

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 00-3221

Tatyana Vladimirovna Mironova;
Genadiy L. Mironov; Anna
Genadievna Mironova; Anton
Gennakyevito Mironov,

Petitioners,

v.

Immigration and Naturalization
Service; Curtis J. Aljets, District
Director, St. Paul, Minnesota INS;
Janet Reno, Attorney General of the
United States,

Respondents.

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On Petition for Review from
Immigration and Naturalization
Service.

[UNPUBLISHED]

Submitted: May 16, 2001

Filed: October 18, 2001

Before LOKEN, JOHN R. GIBSON, and FAGG, Circuit Judges.

PER CURIAM.

Tatyana Vladimirovna Mironova, her husband, and two children (collectively the Mironovas) are citizens of Ukraine. They applied to the Immigration and Naturalization Service (INS) for asylum and withholding of deportation asserting they

have a well-founded fear of persecution in Ukraine based on their religious beliefs. An immigration judge rejected their assertion because of inconsistencies between the Mironovas first and second asylum applications. The Board of Immigration Appeals (BIA) denied their appeal, noting the IJ rejected the Mironovas testimony about persecution as incredible. The BIA also held that even if the testimony was credible, the application would fail anyway because religious freedom is no longer denied in Ukraine since the 1991 overthrow of the Communist regime. The BIA concluded the Mironovas lacked a well-founded fear of persecution based on their religion and thus did not qualify for asylum or withholding of deportation. The Mironovas petition for review and, having carefully reviewed the record, we conclude substantial evidence supports the BIA's factual findings and the BIA did not abuse its discretion in denying asylum and withholding of deportation. Valioukevitch v. INS, 251 F.3d 747, 749-50 (8th Cir. 2001). We deny the petition for review for the reasons stated by the BIA. See 8th Cir. R. 47B.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.